

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 23-11130
Jedediah Charles Huf	:	Chapter 13
	:	Judge Patricia M. Mayer
Debtor(s)	:	*****
	:	
Freedom Mortgage Corporation	:	Related Document # 26, 30, & 31
Movant,	:	
vs	:	
	:	
Jedediah Charles Huf	:	
Kenneth E. West	:	
Respondents.	:	

CERTIFICATE OF DEFAULT

Now comes Freedom Mortgage Corporation, its successor and assigns (hereinafter, "Creditor") by and through counsel, and certifies to this Court that Jedediah Charles Huf ("Debtor") has failed to comply with the Order entered September 26, 2023, approving the September 25, 2023, Stipulation a copy of which is attached hereto as Exhibit "A", by failing to make timely payments in accordance with the Stipulation. Pursuant to the Order, the automatic will terminate upon the filing of the Certificate of Default.

Creditor hereby avers that Debtors are delinquent for the October 1, 2023 payment and for all arrears that were due thereafter. Further, pursuant to the terms of the stipulation, Creditor provided Debtors and their Counsel with a Notice of Default on December 22, 2023, allowing Debtors ten (10) days to cure this default. A copy of said default letter is attached hereto as Exhibit "B". Ten (10) days have passed and the default has not been cured.

WHEREFORE, upon the filing of the Certificate of Default, Creditor requests that the Court enter an order terminating the automatic stay.

Respectfully submitted,

/s/Alyk L. Oflazian

Alyk L. Oflazian, Esquire (312912)

Adam B. Hall (323867)

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

Telephone: 614-220-5611

Fax: 614-627-8181

Attorneys for Creditor

The case attorney for this file is Alyk L. Oflazian.

Contact email is

ALOf lazian@manleydeas.com

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In re: :
: **Case No.: 23-11130**
Jedediah Charles Huf : **Chapter 13**
: **Judge Patricia M. Mayer**
Debtor(s) : * * * * *
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Freedom Mortgage Corporation : **Related Document # 26, 30, & 31**
Movant, :
vs :
:
Jedediah Charles Huf :
Kenneth E. West :
Respondents. :
:

CERTIFICATE OF SERVICE

I certify that on the date of filing, a copy of the foregoing Certificate of Default was filed electronically. Notice of this filing will be sent to the following parties through the Court's

Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Kenneth E. West, Chapter 13 Trustee, ecfemails@ph13trustee.com

MICHAEL A. CIBIK, Attorney for Jedediah Charles Huf, mail@cibiklaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S.

Mail to the following:

Jedediah Charles Huf, 267 Commerce St, Oxford, PA 19363-1738

/s/Alyk L. Oflazian

- the Plan. Debtor shall file the Amended Chapter 13 Plan within thirty (30) days of the Court Order approving this stipulation.
6. Movant is permitted to file a Supplemental Proof of Claim in the amount of \$8,497.05 representing the total post-petition delinquency. The Supplemental Proof of Claim shall be paid as a secured claim through the Chapter 13 Plan.
 7. Payments shall be sent to:

Cardinal Financial Company, Limited Partnership
1 Corporate Drive
Suite 360
Lake Zurich, IL 60047
 8. Upon completion of the repayment schedule listed above or tender of sufficient funds to bring the loan post-petition current, Debtor must continue to make timely post-petition mortgage payments directly to Movant in a regular monthly fashion.
 9. The following are events of default under this Stipulation:
 - a. Debtor's failure to file an Amended Chapter 13 Plan within 30 days of the Court Order approving this stipulation;
 - b. Debtor's failure to remit any future monthly mortgage payment on or before the date on which it is due;
 10. In the event of a Default, Movant shall send a Notice specifying the Default, to Debtor and Debtor's counsel ("Notice"), allowing Debtor ten (10) days to cure the Default ("Cure Opportunity"). If the Default is not cured, Movant shall file a Certification of Default with the Court. The automatic stay shall be terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property upon the Court's entry of an Order granting Movant's Certification of Default.
 11. If Movant has to send a Notice of Default, the Debtor shall pay \$100.00 per notice, as attorney fees, in addition to whatever funds are needed to cure the default prior to the expiration of the allowed cure period.
 12. This Stipulation remains in full force and effect in the event Debtor's case is dismissed by the Court and Debtor subsequently reinstates their case by order of the Court and/or the Movant obtains relief from stay and the stay is subsequently reinstated by order of the Court.
 13. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

MANLEY DEAS KOCHALSKI LLC

Dated: 09/21/2023

BY: /s/Alyk L. Oflazian
Alyk L. Oflazian (312912)
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611; Fax 614-627-8181
Email: ALOflazian@manleydeas.com
Attorney for Creditor

Dated: 09/21/2023

BY: /s/ Michael A. Cibik
Michael A. Cibik
1500 Walnut Street
Suite 900
Philadelphia, PA 19102
Email: mail@cibiklaw.com
Attorney for Debtor

I do not object to the foregoing Stipulation

/s/ Kenneth E. West No objection to its terms, without prejudice to any of our rights and remedies
Kenneth E. West
1234 Market Street - Suite 1813
Philadelphia, PA 19107

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 23-11130
Jedediah Charles Huf	:	Chapter 13
	:	Judge Patricia M. Mayer
Debtor(s)	:	* * * * *
	:	
Cardinal Financial Company, Limited Partnership	:	Date and Time of Hearing
	:	September 13, 2023 at 01:00 p.m.
Movant,	:	
vs	:	Place of Hearing
	:	U.S. Bankruptcy Court
Jedediah Charles Huf	:	900 Market Street, Suite 400
Kenneth E. West	:	Philadelphia, PA, 19107
Respondents.	:	
	:	Related Document # 26

ORDER OF COURT

AND NOW, to wit, this 26th day of September, 2023, upon consideration of the foregoing Stipulation for Settlement of Creditor's Motion for Relief from the Automatic Stay, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. The terms of the foregoing Stipulation are hereby approved in their entirety and incorporated herein as part of this Order.
2. Pursuant to the Stipulation, Creditor is entitled to relief from the automatic stay upon default of Debtor, subject to the terms of the Stipulation.

By the Court:

Patricia M. Mayer

PATRICIA M. MAYER, JUDGE
UNITED STATES BANKRUPTCY COURT

CC:

Alyk L. Oflazian, Attorney for Creditor, Manley Deas Kochalski LLC, P.O. Box 165028,
Columbus, OH 43216-5028 (notified by ecf)

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov (notified by ecf)

Kenneth E. West, Chapter 13 Trustee, 1234 Market Street - Suite 1813, Philadelphia, PA 19107, ecfemails@ph13trustee.com (notified by ecf)

Michael A. Cibik, Attorney for Debtor, 1500 Walnut Street, Suite 900, Philadelphia, PA 19102, mail@cibiklaw.com (notified by ecf)

Jedediah Charles Huf, Debtor, 267 Commerce St, Oxford, PA 19363-1738 (notified by regular US Mail)



December 22, 2023

MICHAEL A. CIBIK
1500 Walnut Street, Suite 900
Philadelphia, PA 19102

Re: Freedom Mortgage Corporation v.
Jedediah Charles Huf
Case No. 23-11130
Our File No. 23-023569

Dear MICHAEL A. CIBIK:

Please be advised that your client, Jedediah Charles Huf, has failed to comply with the Agreed Order entered into on September 25, 2023 on behalf of the above referenced Debtor.

The Debtor is currently behind as follows:

	Amount	# of Pmts Behind	Total
Regular Mortgage Payments for October, 2023 - December, 2023	\$1,451.81	3	\$4,355.43
NOD Fee	\$100.00	1	\$100.00
TOTAL:			\$4,455.43

Please note that this letter serves as a Notice of Default and opportunity to cure the arrearage stated above. **Your clients will have ten (10) days from the date of receipt of this letter in which to remit the funds listed above. If no response is received within ten (10) days, the Stay will automatically terminate without further notice or motion, upon the filing of a Certification of Default.**

Funds must be remitted directly to the creditor. If sending payment by mail, the creditor's address can be found in the Proof of Claim. Do not remit funds to Creditor's counsel.

Should you have any questions regarding this matter, please do not hesitate to contact me at 614-220-5611.

Very truly yours,
Alyk L. Oflazian

CC: Jedediah Charles Huf
267 Commerce St
Oxford, PA 19363-1738

23-023569_SJW

Jedediah Charles Huf
267 Commerce Street
Oxford, PA 19363